

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**U.S. COMMODITY FUTURES TRADING
COMMISSION,**

Plaintiff,

v.

NO. 3:13-CV-196

JAMES HARVEY MASON,

Defendant, and

**THE JHM FOREX ONLY POOL (f/k/a
THE JHM FOREX ONLY POOL, LP), and
FOREX TRADING AT HOME,**

Relief Defendants.

ORDER APPROVING AMENDMENT TO SETTLEMENT ON SHORTENED NOTICE

THIS MATTER came before the Court upon the *Receiver's Motion to Approve Amendment to Settlement and to Shorten Notice* filed on December 19, 2014 (the "Motion") (Doc. No. 135) seeking this Court's approval, on shortened notice, of an amendment (the "Amendment") to the settlement reached with Stephen Gallagher, Lynn Gallagher and the Gallagher Family Trust (collectively, the "Gallaghers"). The Court finds that it has jurisdiction over this matter, that notice was proper and that no responses to the Motion have been filed. The Court has reviewed the Motion and concludes that the relief requested in the motion should be granted.

It appears that the Receiver and the Gallaghers negotiated the Amendment at arms' length, and that the Amendment reflects the best interests of the receivership estate.

It also appears that shortened notice is appropriate under these circumstances given the apparent lack of any adverse effect by the Amendment on the original settlement reached with the Gallaghers and considering that the Motion was rapidly served on all parties-in-interest through email, online publication or ECF.

The Court, having reviewed the Motion, the Amendment, and the record in this case, has determined that approval of the Amendment proposed in the Motion on shortened notice would reflect the best interests of the Receivership Estate.

IT IS, THEREFORE, ORDERED that the Motion is GRANTED and the Amendment is APPROVED.

SO ORDERED.

Signed: December 30, 2014



Graham C. Mullen
United States District Judge

